Behind the Scenes of the Security Hearings

Inside: **The Drift to War; the UN and the Israeli Raids; Matusow and Perjury.**

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Is Sen. Humphrey Unwittingly Running Interference for Brownell?

Warning Against A Booby-Trap For Liberals

The witch hunt in government began in 1939 with passage of Section 9 A of the Hatch Act. This forbade the employment by the Federal government of anyone who was a member of an organization which advocates overthrow of the government by force and violence. The Civil Service Commission three years later promulgated a resolution making reasonable doubt as to "loyalty" grounds for discharge or denial of employment. Long before the Truman executive order of 1947 establishing the so-called loyalty program, it was already obvious that the FBI, utilizing agents often politically illiterate and generally reactionary, was encouraging anonymous and irresponsible accusation and equating liberal views with disloyalty. Indeed the writer exposed this in a series of articles for the newspaper *PM* during World War II, which was documented from actual transcripts of loyalty interrogations.

Despite intermittent protest and exposure during the intervening years, it is only in the past week that a committee of Congress has ever held hearings to give critics of the loyalty-security setup a chance to air their views and observations. All kinds of committees from the days of Dies to those of McCarthy have created sensations and made political careers by hearing the wildest kind of charges against government employes. But not until the Humphrey hearings of last week has any committee sat down to hear the other side of the story, the damage done to individuals, to the government service and to the atmosphere of a free society by these loyalty-security proceedings. This striking fact reflects the awakening of public opinion in the past year to the injustices and evils these proceedings have created. The Ladejinsky and Chasanow cases, the repeated defeats of the government in the Lattimore case, the perjuries disclosed in the testimony of professional witnesses, the Matusow recantation, have all played their part in this.

The FBI Is Worried

Last week's hearings were not part of a full dress investigation. They were merely preliminary hearings on *whether* to investigate. Specifically they were hearings on whether to report favorably to the Senate, S. J. Res. 21, which would establish a Commission on Government Security to make such an inquiry. Even before these few days of hearings, the FBI and the right were already alarmed. "Grave fears arise here in the Capital," said the McCarthyite newsletter *Human Events*, March 12, "that a formidable monkey wrench may be thrown into the machinery, created within the last five years, for ousting Communists and fellow travellers from the government." The *Chicago Tribune* broke the release date on the testimony of Joseph L. Rauh, Jr., of Americans for Democratic Action, which was not given until Tuesday, and spread it on the front page last Monday, "Left Wingers Ready to Open Attack on FBI. ADA to Assail Security System."

It would be pleasant to report that these almost hysterical anxieties are justified. But there is still a long way to go. S. J. Res. 21 is itself open to criticism. It prejudges many of the basic issues by its own declaration of policy which declares it "vital" to maintain loyalty-security procedures and to protect private as well as public installations not only from espionage and sabotage but also from "disloyalty" and "subversive activities"—neither, of course, defined. The emphasis of the declaration of policy is entirely on "security" and its three sub-divisions nowhere explicitly call for study of injustices to the individual or of the need for reforms in procedure. Though one of its main concerns should be a study of how the FBI works in loyalty cases, the Commission's own employes under the terms of the Humphrey resolution would have to be investigated by the FBI "as to character, associations and loyalty." Thus the FBI would have a chance to pass first on those who were later to pass upon the FBI.

A Halter on the Commission

Such a Commission of inquiry can hardly do its job without a chance to see loyalty files and to study the whole informer system. But Section 8 of S.J. Res. 21 says, "Nothing contained in this joint resolution shall be construed to require any agency of the United States to release any information possessed by it when, in the opinion of the President, the premature disclosure of such information would jeopardize or interfere with a pending or prospective criminal prosecution, *or with the carrying out of the intelligence responsibilities of such agency.*" (Italics added). This is broad enough to shield the informers and informer methods of the Department of Justice from scrutiny. In theory it would depend on the President whether such information would be made available to the Commission. In practice, the President would necessarily depend on his Attorney General, and Eisenhower at press conference last Wednesday showed himself as ready as Brownell to defend secret informers.

There are also serious political objections to the resolution, and this may explain why its sponsor, Humphrey of Minnesota, tried hard but was unable to get any other Democratic colleague but Stennis of Mississippi to co-sponsor it with him. The Eisenhower Administration and a Republican Attorney General are responsible for the present security program and

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Bulletin from the White House-State Dept.-Pentagon Front

Our Course Is Being Set for the Most Terrible Kind of War

WASHINGTON—Nobody in the press corps, and perhaps nobody in the government, knows what will be done if Quemoy and Matsu are attacked. Dulles and Eisenhower, at their respective press conferences last week, only added to the confusion. The former seemed to be adding another "hedge" against war when he went so far as to say that it would be beyond the President's authority to make war if an attack on Quemoy and Matsu were not part of an attack on Formosa and the Pescadores, but just how the government proposes to determine whether an assault on the offshore islands is part of a planned offensive against Formosa is still terribly unclear. The truth is that there is no way of knowing. The President and his advisers will decide. Unfortunately among these advisers the men of peace like Secretaries Wilson and Humphrey seem to be losing influence to Dulles, Radford and Knowland.

When Radford told the industrialist Committee of One Hundred in Miami Monday night that war, big or little, "could come almost any place, any time" and "could be initiated secretly by a small handful of men" he was referring to Moscow and Peking but he was also describing Washington.

Several things are clear in this perilously murky situation. One is that the Pentagon has convinced itself the Russians will stay out if we slip into war with China, a most hazardous assumption since the momentum of events must tend to draw Russia in. Another is that we do not intend to fight a limited war with China, but as Dulles said last week, if war comes we could hardly be expected any longer to "restrain" Syngman Rhee and Chiang. The third is that we are now irrevocably being committed to a terrible decision—the use of atomic weapons from the very start of any conflict. Eisenhower and Dulles echoed the new propaganda line that atomic weapons can be used in a "humane" way tactically without striking "unrelated" civilian targets. This will prove to be the most ghastly delusion if war comes—once the tactical weapons are used, some "related" civilian targets will be hit, there will be retaliation, and then everything will be thrown in. Nothing is stranger than the silence—not a voice raised for peace—in which the American State drifts into a position where it will be more and more difficult not to fight if Quemoy and Matsu are attacked, though the consequences may be World War III.

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especially for the attempt to use it and secret FBI files for partisan purposes in the "twenty years of treason" campaign launched by Brownell. The Democrats now control Congress. They are in a position to investigate these abuses and to make political capitol of them. What, then, is the political sense of S.J. Res. 21 which would set up a 12-man Commission of whom four would be picked by Eisenhower and four by Nixon—and thus eight with the advice of Brownell?

Humphrey Jumped the Gun

It is significant that while Humphrey, Morse and Lehman are all vice-chairmen of Americans for Democratic Action, neither Morse nor Lehman co-sponsored the Humphrey resolution. What makes the Humphrey resolution seem all the more fuzzy-minded is that the Democrats have already used their new control of the Senate to launch an investigation of the security program. Ten days before Humphrey submitted S.J. Res. 21, Senator Johnston as chairman of the Committee on Post Office and Civil Service had already introduced S. Res. 20 for "a full and complete study and investigation" of the security program. This was quickly cleared by Senator Green as chairman of the Rules committee. On February 21 the Senate, without objection, approved the investigation and a $125,000 appropriation to finance it. Former Senator Gillette was named special counsel and last Tuesday a three-man subcommittee made up of Johnston, Neely and Carlson was named to preside over the investigation. Humphrey jumped the gun on his own party colleagues.

The Democrats, of course, control both the special subcommittee and the full committee. The attitude with which they are approaching this investigation is quite different from that reflected in the Humphrey resolution's declaration of policy. In a letter to Senator Green asking the $125,000 appropriation, Senator Johnston (Sen. Rep. 28) set forth the outlines of his proposed inquiry. He said that in addition to 2,000,000 Federal employes "another 3,500,000 military personnel and some 4 million civilians are indirectly affected by the Government security system." He said that in addition to the FBI there were now 5,000 special investigators employed on the security program. He said his committee had received many complaints, that the country had a right to know whether the program "is effective, economically administered and whether or not serious injustices have occurred."

When the resolution came up for passage in the Senate, there was an illuminating colloquy between Johnston and Senator Langer:

> **Mr. LANGER. Is it not the belief of the committee, from a preliminary investigation, that when an employee loses his job he is at least entitled to know what the charges are, and is entitled to face his accusers and listen to the testimony against him?**
>
> **Mr. JOHNSTON of South Carolina. We think that is entirely correct, and we believe our committee is the one to see that the employee is given that right.**

With so powerful a Southerner as "Cotton Ed" Johnston in charge and on the warpath, the investigation launched by his committee promises an independent study of the security program. The passage of the Humphrey resolution would only set up a Commission the Republicans might control and which could divert public opinion and perhaps whitewash what the Administration has been doing. The Democrats would be well advised to vote it down. It is well to remember that Humphrey has a most equivocal record in the security field. He presided over a special investigation of security in industry in March and July, 1952, which first gave a platform for a proposal to subject unions to the Subversive Activities Control board. Last August he voted against the Butler bill, which embodied this proposal, and sponsored instead a bill to outlaw the Communists. Then, when Daniel of Texas proposed the Butler bill as an amendment to Humphrey's measure, Humphrey "gladly" accepted it. The result was that monstrosity, the Anti Communist Control Act of 1955. This combined the Brownell-Butler proposals for subjecting all "Communist infiltrated" organizations to the SACB with the Humphrey-Morse Douglas standards for determining who is a Communist and therefore subject to outlawry. These standards are so fantastically vague and sweeping that (as the ADA-ish *New York Post* pointed out at the time in disgust) Humphrey himself could be proscribed as a Communist under them.

An Unreliable Champion

This is not raked up as ancient history but to show that Humphrey is not a reliable champion of civil liberties. He is not very astute and he is very much the opportunist. I do not doubt that he is sincerely disturbed about the security program (and sees that political capital can now be made of it) but in this case he may prove to be running interference, however unwittingly, for Brownell. S.J. Res. 21 is a booby-trap.

Next week I want to take up the testimony before the Humphrey subcommittee. Useful and informative as this testimony was, it contained much which dangerously accepts the basic preconceptions of the witch hunt and cravenly echoes its poisonous vocabulary.

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The UN Security Council Dodges Its Responsibilities in the Middle East

Behind Israel's Retaliation Raid on Egyptian-Held Gaza

By Richard Yaffe

Formerly of PM and the Compass, Yaffe is UN correspondent for Al Hamishmar, Israeli daily of the Left Socialist Zionist party, Hashomer Hatzair.

United Nations, N. Y.—If it was the intent of those in Israel responsible for the Gaza retaliation raid (38 Egyptians, 8 Israelis dead) to dramatize Israel's day and night border warfare and her insecurity and isolation in a sea of Arab hostility, the lesson was lost on those it was intended to impress. When these lines are read, the Security Council will have met and condemned Israel for the foray, and adjourned. It will have neglected to do its duty under the UN Charter: Act as peacemaker to avoid or halt war.

A poll of delegations showed no one willing to raise the whole question of Israel-Arab relations as Dr. Francisco Urritia of Colombia, which is no longer in the Council, did last Fall during the debate on Egypt's anti-Israel blockade of the Suez Canal. He suggested—and no one took him up on it—that it was the duty of the Council to tackle the disease and not just an occasional spasm considered important enough for the Council to consider of the hundreds reported yearly to the various Arab-Israel armistice commissions.

For example, in only two weeks prior to the Gaza raid, there were fifteen incidents resulting in death to one Israeli and injury to another. Among the incidents: Two tractor drivers, five settlements, six Israel patrols and two police vehicles fired upon from across and within Israel's borders. Syrians were involved in at least six cases, Jordanians also in six and Egyptians in at least two in which it was established that the marauders had fled into the Egyptian-held Gaza strip. Commentators for the American press generally attributed the Gaza raid to two factors: Revenge for Egypt's hanging of two Jews for alleged pro-Israel activities, and David Ben Gurion's return to the Cabinet as Minister of Defense. The Cairo trials and sentences aroused all Israel, and were decried as political and unfair by such observers as Richard Crossman and Roger Baldwin.

The Real Reasons

But while these factors cannot be removed from the total picture of the Gaza affair, they are merely part of it, and perhaps the smallest part. Else, the press of Israel, cutting through party lines, and even those of the Left who see no way to peace through retaliation, would not have rallied to the defense. As for the Israel Government, it neither denied the raid nor apologized for it. It merely explained its background, detailed the deteriorating relations with Egypt, and promised more of the same if Egyptian troops did not stop attacking Israel and then fleeing to the sanctuary of the Gaza Strip, as they had done just prior to the Gaza affair when they went eighteen miles to Rehovot and there murdered an Israel civilian from ambush.

The remnants of Israel's terrorist gangs from Mandate days, the small anti-Arab elements and the few revanchist extremists in the State certainly were pleased by the Gaza raid. The border settlements, uneasy and divided, could understand it because their members are high on the list of casualties, their homes are set afire, their livestock and irrigation pipes stolen by infiltrators. They saw the results of the cold war in mounting intransigence of the Arab states and Israel's growing isolation.

'Blueprint for Peace'

It is recalled that before Kibya, the large-scale Israel raid in Jordan in which about fifty Arabs were killed, and the Gaza affair, there was another and opposite attempt at pacification of the Arab states: "The Blueprint for Peace in the Middle East" delivered two years ago by Israel Ambassador Abba Eban to the United Nations. In it the new state offered cooperation to its neighbors in all fields: Health, culture, education, economy, technology, science. It offered to lend or exchange doctors, nurses, teachers, technicians, scientists. It proposed land reclamation and irrigation schemes to be shared in by all, to raise the standard for all. It offered a path across the Negev for Jordan to reach the sea, and a free port area in Haifa for use of all Israel's neighbors.

Neither the carrot nor the club has worked. Neither could work so long as feudal military regimes were being wooed by the United States to become part of the vast iron ring being forged to contain the USSR.

Failure of Israel's regime to see the inevitable consequences of Mr. Dulles' "new look" at the Middle East can only be laid to a sort of wishful thinking that America would always take care of Israel regardless of its own real or imagined interests in the area. This has led to an externally-imposed sort of neutralism that is far from the kind being practiced by India and others. Theirs is based on the right to express sovereignty over their own affairs; to make pacts with whomever they wish; to be friendly with all peace-loving states.

What Israel is drifting—or being forced into—is something entirely different. It is isolation, immobility. Israel is finding itself in the untenable position of being rejected by the side its leaders have chosen, of having the hostility of the side it has ignored, and of being snubbed by the independents in whose area it more properly belongs.

Even as U.S. arms arrive in Iraq as down-payment for joining the Turkish-Pakistan Alliance, and Egyptian troops mass on her borders, Israel is told by John D. Jernegan, Deputy Assistant Secretary of State for the Near East (March 6) that the U.S. "cannot see evidences" of prospective hostility on the part of her neighbors but that, in fact, the Arabs themselves fear Israel because of her superior army; and that Israel cannot become part of a Middle Eastern defense organization because the Arabs won't have her.

Empty Promises

The State Department's private assurances to Israel representatives that its moves in the Middle East will break the Arab League and thus redound to the benefit of Israel are empty of real meaning. While it is true that the demise of the League is being heralded, the reports of its death are exaggerated. There never was any organic unity within the League, and therefore there was none to break. Its collective security pact is an unimplemented scrap of paper. Its only reason for existence is hatred for Israel and to provide a facade for non-existent Arab unity to show to the world for blackmail purposes.

Regardless of what happens; regardless of whether or not the Turkish-Pakistan Alliance will find other adherents (and it will), the Arab League will remain, whether it is called that or not, as a convenient tool for Arab hostility toward Israel. On this the Arab states are together, if on nothing else. It is therefore plain that if the League is stripped of everything but its anti-Israelism, its anti-Israelism will become stronger. It is also therefore plain that America's vaunted "rift" in the Arab League has done the opposite of rebound to Israel's favor. One example of this is Turkey's growing hostility toward Israel after close friendship and excellent trade relations, and its promise to Iraq that it will join the Arab bloc against Israel in the UN.

It is perhaps too much to expect the Arab states and Israel to find co-existence in the context of the present world. The eyes of the people in that part of the globe, who also desire peace, look to capitals other than Jerusalem, Cairo, Baghdad and Damascus for that larger settlement which must precede theirs.

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Why Brownell Wants to Change the Perjury Law; the Rumely Case and "False Witness"

The Frantic Drive To Hush Up The Truth About Informers

If there is still justice in this country, an appeal should end in the reversal of U.S. District Court Judge R. E. Thomason on two counts, one for refusing a new trial to Clinton Jencks, the other for holding Harvey Matusow in criminal contempt. As may be seen by the text we published February 7, the U.S. Attorney who prosecuted Jencks admitted in a letter of thanks to Matusow that his testimony was "absolutely essential" to the conviction. Jencks, an officer of the International Mine, Mill & Smelter Union, was convicted of lying when he signed a Taft-Hartley oath denying that he was a Communist on April 28, 1950. Not one witness testified that he know Jencks to be a Communist at that time or subsequently, but Matusow swore (falsely, he now says) that he heard Jencks make statements after that date which in Matusow's opinion could only have been made by a Communist!

This was thin enough at the time. Matusow's recantation of testimony so crucial called for a new trial. The truth is that the prosecution over which Judge Thomason presided had a most gamey flavor. At least one government witness—"excused" after his testimony had been proven false—should have been prosecuted for perjury. The trial was also marked by the appearance of one of the most repulsive informers yet produced by the government—a Methodist pastor who admitted he was paid by the FBI to spy on his friends.

Judge Thomason's action against Matusow must be seen in the context of frantic efforts by the government to protect its system of informers from full public examination. An honorable Department of Justice, determined to clear its skirts of all suspicion of impropriety, would have joined in the request for a new trial. To hold Matusow in contempt is in effect to punish him for recanting without having to take the trouble of proving a charge of perjury. The three-year sentence, imposed on a judge's fiat without jury trial, is a brutal warning to other informers.

* * *

A Bill to Make Truth Unsafe

Those who want to see the miasma of informing cleared up had better awaken public opinion to the meaning of the change asked by Brownell in the perjury law. This would make it unsafe for informers to get an attack of conscience.

At present the government cannot send a recanting informer to jail without proving which of his statements, the original testimony or the recantation, was false. To try and prove the recantation false is not easy, and a jury may feel that the man is being persecuted for "coming clean."

Once a man has admitted that his original testimony was false, his own admission is the strongest kind of corroborative evidence. It is easier to prove that the man lied—as he admits—originally. But in doing so the government admits that it used false evidence and lays the basis for a new trial and acquittal of those against whom the informer testified. It is this prospect, and not the difficulties of proof, which give the government pause when it tries to figure out what to do about a man like Matusow.

Brownell would amend the perjury law so that the mere fact of contradictory statements would be enough for conviction—without proving which was false. Such a change would serve notice on informers that they could easily be sent to jail if they dared recant—and that the government could convict them without disturbing the convictions obtained with their past testimony. This is a bill to make it unhealthy for any false informer ever to tell the truth.

* * *

An Evil Precedent

Matusow's book, "False Witness," finally published last week is being made a success by its enemies. Whatever its shortcomings, the book and its publishers, Angus Cameron and Albert E. Kahn, have performed a first-rate public service. They are doing for the informing business what "The Jungle" did for meat-packing.

Cameron and Kahn were treated in reprisal to savage and illiterate cross-examination here by the Senate Internal Security subcommittee. Their treatment raises serious questions for publishing in America. Has a Senate committee the right to subpoena the publishers of a book it does not like, subject them to exhaustive and often irrelevant inquiry, demand the names of their backers and the details of their business? The Supreme Court's decision year before last in the Rumely case suggests that Cameron and Kahn might have refused to answer on the grounds that such questions were beyond the lawful authority of any Congressional committee under the First Amendment.

Edward A. Rumely, of the rightist Committee for Constitutional Government, was held in contempt for refusing to tell a House lobby investigating committee who were the buyers and distributors of a book by John T. Flynn. The Supreme Court unanimously reversed, indicating that such inquiry was beyond the lawful investigative power of Congress. We believe the same reasoning applies to the Matusow book, and that the dragooning of Cameron and Kahn is a sinister precedent for book publishing in America.

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